

S/N 10/807,832

Atty Dkt No. GP-303527/GM0462PUS

Remarks

This Reply is intended to be fully responsive to the Office Action mailed January 27, 2006 and the Advisory Action mailed April 12, 2006.

Applicants responded to the January 27, 2006 Final Office Action with an Amendment under 37 C.F.R. 1.116 on March 27, 2006.

In an Advisory Action mailed April 12, 2006, the Examiner indicates that the request for reconsideration (i.e., the January 16, 2006 Amendment) was considered, but does not place the Application in condition for allowance.

Accordingly, Applicants have filed a Request for Continued Examination, including the requisite submission and fee under 37 C.F.R. 1.114(c) concurrent with this Amendment. The present Amendment constitutes a submission under 37 C.F.R. 1.114(c) with respect to the Section 102(b) rejections.

The Examiner has rejected claims 1 and 8 under 35 U.S.C §102(b) as being anticipated by U.S. Patent No. 5,954,612 to Baxter. Reconsideration of this rejection is respectfully requested. The Examiner indicates that Baxter teaches "first and second clutches (62 and 64, respectively) connected with an input shaft (14)." Claim 1 of the present Application requires "first and second input clutches directly connected with an input member which carries torque into the transfer case." This structure is not taught by the cited reference.

As stated in the previous Reply, "input clutch" is a commonly used term of art in the powertrain engineering field, which refers to a clutch that transfers input torque into a transmission or transfer case when engaged. The U.S.P.T.O. has issued numerous patents since 1976 using the term "input clutch" in the specification, many of which employ the term in the claims without defining what the input clutch provides input to.

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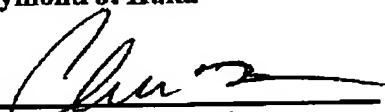
In contrast, the clutches 62 and 64 of Baxter are clearly not "input clutches directly connected with an input member which carries torque into the transfer case," as required by independent claim 1. Neither clutches 62 and 64 are "directly connected with an input shaft." and therefore cannot be "input clutches." Accordingly, independent claim 1 and dependent claim 8 are believed to be allowable for at least this reason.

Applicant notes with appreciation the indication of allowance of claims 9-13 and 16-19. The Examiner has also indicted that claims 2-5 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Accordingly, it is respectfully submitted that all pending claims are in condition for allowance, which action is requested.

Respectfully submitted,

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